UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,743	11/14/2000	Roberta L. Patnode	10655.9500	9259

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EXAMINER
AKINTOLA, OLABODE

ART UNIT	PAPER NUMBER
3691	

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10/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/712,743	PATNODE ET AL.
	Examiner	Art Unit	
	Olabode Akintola	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 August 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-8,10,11,14-16,18-21,24-29,31,34-40 and 43-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-8,10,11,14-16,18-21,24-29,31,34-40 and 43-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4-8, 10-11, 14-16, 18-21, 24-29, 31, 34-40 and 43-46 are rejected under 35

U.S.C. 103(a) as being unpatentable over Jones et al (US 6021397) in view of Doerr et al (US

6473745) and further in view of Lewis (US 6513019).

Re claims 1, 11 and 40: Jones teaches a method of creating financial advice applications,

comprising: receiving a request including financial data at a financial advice application, wherein

said financial advice application is configured to use said financial data to provide financial

planning and advice, wherein said financial data is related to at least one of: financial need,

preferred financial strategy and economic class of an entity (col. 3, lines 32-46).

Jones does not explicitly teach evaluating said request to identify a plurality of distinct financial advice services based on said at least one of: financial need, preferred financial strategy and economic class; compiling data requirement unique to said entity based on at least one of said financial need, said preferred financial strategy and said economic class, wherein said data requirements include format and value properties; compiling a data entry page having fields based on said data requirements; applying to said fields said format and said value properties as metadata to enforce data entry rules; transmitting said financial data to said client computer in the form of financial advice application, wherein said financial advice application is fully executable at said client computer; and scripting requests from said client computer such that a single request creates said financial advice application.

Doerr teaches evaluating said request to identify a plurality of distinct financial advice services based on said at least one of: financial need, preferred financial strategy and economic class; compiling data requirement unique to said entity based on at least one of said financial need, said preferred financial strategy and said economic class; compiling a data entry page having fields based on said data requirements; transmitting said financial data to said client computer in the form of financial advice application, wherein said financial advice application is fully executable at said client computer; and scripting requests from said client computer such that a single request creates said financial advice application (abstract, Fig. 3, col. 2, lines 6-60, col. 4, lines 51-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jones to include this feature. One would have been motivated to do so in order to render specialized personalized advice to the user.

Lewis teaches compiling data wherein the data includes format and value properties; applying to

said fields said format and said value properties as metadata to enforce data entry rules (col. 2,

lines 62-67). It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Jones to include this feature. One would have been motivated to do so in

order to process data more easily.

Thus modified Jones hereinafter referred to as "Modified Jones".

Re claim 4: Modified Jones teaches the step wherein said at least one financial advice application

includes at least one of leased storage service, a formatting service, library service, repository

service, simulator service, an asset allocation service, a business graphics service, a roadmap

service, and an equity evaluation service (see Lewis: Figs. 1 and 4; col.4, lines 50 to col. line 48

and col.11, lines 50 to col. line 152).

Re claim 5: Modified Jones teaches the step comprising formatting data transmitted between said

financial services and said financial advice application in a standardized data format (Lewis: col.

9, lines 33-51 and lines 50-54 and col. lines 11-21).

Re claim 6: Modified Jones teaches the step wherein said standardized data format is XML

(Lewis: col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54).

Re claim 7: Modified Jones teaches the step comprising formatting data transmitted between a plurality of financial advice services in a standardized data format (Lewis: col. 9, lines 33-51; col. 10, lines 50-54 and col. 17, lines 11-54).

Re claim 8: Modified Jones teaches the step wherein said standardized data format is XML (Lewis: col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54)

Re claim 10: Modified Jones teaches the step comprising communicating with registration application configured to allocate TCP/IP port for use financial advice application during client session (Lewis: col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23).

Re claims 14 and 43: Modified Jones teaches the step wherein said standardized data format is XML (Lewis: col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54).

Re claim 15: Modified Jones teaches the step comprising a translator communication with said financial advice application, wherein said translator is configured to translate data transmissions between plurality of financial advice services into standardized data format (Lewis: col. 9, lines 33-51; col. 10, lines 50-54 and lines 11-54).

Re claim 16: Modified Jones teaches the step wherein said standardized data format is XML (Lewis: col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54).

Re claim 18: Modified Jones teaches the step comprising a registration application in communication with said financial advice service, wherein said registration application is configured to allocate a TCP/IP port use financial advice application during client session (Lewis: col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23).

Re claims 19 and 44: Modified Jones teaches the step wherein said financial advice application includes at least one of headless utility, a leased storage service, formatting service, a library service, a repository service, simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service (See Lewis: Figs. 1 and 4; col. 4, lines 50 to col. 5, line 48 and col. 9, lines 37-51).

Re claims 20 and 45: Modified Jones teaches the step wherein said financial advice application comprises an application services manager configured communicate with said client computer and said financial advice service (Lewis: col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29).

Re claims 21, 31 and 46: These are computer readable media, device and method claims with similar limitations as claim 1 above; therefore, they are rejected with the same rationale.

Re claims 24 and 34; Modified Jones teaches the step wherein said financial advice application includes at least one of a leased storage service, formatting service, a library service, repository service, a simulator service, an asset allocation service, business graphics service, roadmap

service, and an equity evaluation service (see Lewis: Figs. 1 and 4; col. 4, lines 50 to col. 5, line 48).

Re claims 25 and 35: Modified Jones teaches the step comprising processing instructions configured to direct a computer to perform the step of formatting data transmitted between any of said client computer, said advice utility server, and said financial advice application in standardized data format (Lewis: col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29).

Re claims 26 and 36: Modified Jones teaches the step wherein said standardized data format is XML (Lewis: col. 6, lines 1-6 and col. 9, lines 37-51).

Re claims 27 and 37: Modified Jones teaches the step comprising processing instructions configured to direct a computer to perform the step of formatting data transmitted between a plurality of financial advice services a standardized data format (Lewis: col. 9, lines 33-51 and col. 10, lines 50-54).

Re claims 28 and 38: Modified Jones teaches the step wherein said standardized data format is XML (Lewis: col. 6, lines 1-6 and col. 9, lines 37-51).

Re claims 29 and 39: Modified Jones teaches the step comprising processing instructions configured to direct computer to perform the step of allocating a TCP/IP port for use by a

financial advice application during client session (Lewis: col. 19, lines 27 to col. 20, line 23 and

col. 21, lines 16-23).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Maggioncalda et al (US 5918217) teaches user interface for a financial advisory system

(col. 8, lines42-50)

Moran (US 6430542) teaches a computer implemented program for financial planning

and advice system (Figs. 1-54, col. 2, lines 31-37, col. 6, lines 50-58, col. 11, lines 32-50)

Boe et al (US 6236975) teaches system and method for profiling customers for targeted

marketing (Figures, col. 6, lines 8-11, col. 7, lines 9-27, col. 8, lines 16-23, col. 10, lines 1-8)

Cullen et al (US 6272528) teaches selecting distinct financial advice service such as life

planning, tax planning, inheritance planning etc (col. 8, lines 41-55).

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
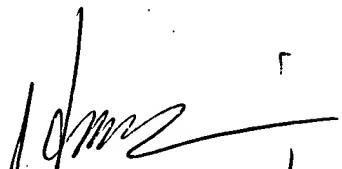
final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629.

The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

HANI M. KAZIMI
PRIMARY EXAMINER